

# Board of Contract Appeals

General Services Administration  
Washington, D.C. 20405

---

DISMISSED WITH PREJUDICE: May 11, 2006

---

GSBCA 16786-COM

DANIELS DESIGN CORPORATION,

Appellant,

v.

DEPARTMENT OF COMMERCE,

Respondent.

Daniel Aragon, President, Daniels Excavating, Denver, CO, appearing for Appellant.

Mark Langstein and Lauren Kalish, Contract Law Division, Office of the General Counsel, Department of Commerce, Washington, DC, counsel for Respondent.

**HYATT**, Board Judge.

## ORDER

This appeal arises from a contract awarded to appellant, Daniels Excavating, a division of Daniels Design Corporation, by the Department of Commerce to provide all labor, materials, and equipment to replace a water line at the National Institute of Standards Radio Station in Wellington, Colorado. The contract was awarded to appellant on May 23, 2005, and terminated for default on September 7, 2005. The appeal was docketed by the Board on December 8, 2005.

On May 5, the parties filed a joint motion to dismiss stating that they have settled the dispute underlying the appeal. Accordingly, this appeal is **DISMISSED WITH PREJUDICE.**

---

CATHERINE B. HYATT  
Board Judge